

RESOLUTION NO. 2011-18

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SELECTING FRANK’S LAWN SERVICE, INC. AND ALL FLORIDA TREE & LANDSCAPE INC. TO TRIM AND PRUNE TREES WITHIN THE VILLAGE IN PREPARATION FOR HURRICANE SEASON; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AND EXECUTE AGREEMENTS RELATED TO THE SAME; PROVIDING FOR A WAIVER OF COMPETITIVE BIDDING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is currently hurricane season within the Village of Key Biscayne (the “Village”); and

WHEREAS, the Village desires to trim and prune various trees within the Village in order to help protect against the impacts of potential hurricanes; and

WHEREAS, the Village Council desires to select Frank’s Lawn Service, Inc. and All Florida Tree & Landscape Inc. (Collectively, the “Contractors”) to simultaneously trim and prune trees within the Village (the “Service”); and

WHEREAS, given that hurricane season has already begun it is necessary that this Service occur in an expeditious manner; and

WHEREAS, as such, the Village Council finds that it is impractical to competitively bid this Service and that it is necessary to waive competitive bidding pursuant to Section 2-85 of the Village Code; and

WHEREAS, the Village Council authorizes the Village Manager to negotiate and execute agreements with the Contractors consistent with the proposals attached as Exhibit “A;” and

WHEREAS, the Village Council finds that this Resolution is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted, confirmed and incorporated herein.

Section 2. Contractors Selected. The Village Council hereby selects the Contractors for the Service.

Section 3. Waiver of Competitive Bidding. The Village Council hereby waives competitive bidding, pursuant to Section 2-85 of the Village Code, because it is impractical to apply such procedures given that hurricane season has already begun and such Service must occur in an expeditious manner in order to help protect the Village from the impacts of potential hurricanes.

Section 4. Village Manager Authorized. The Village Manager is hereby authorized to negotiate and execute an agreement, consistent with the proposals attached hereto as Exhibit "A," with the Contractors for the Service, subject to approval as to form, content, and legal sufficiency by the Village Attorney.

Section 5. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 28th day of June, 2011.


MAYOR FRANKLIN H. CAPLAN

ATTEST:

CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


VILLAGE ATTORNEY



EXHIBIT "A"



All Florida Tree & Landscape, Inc.

5855 NW 47th Place
Coral Springs, FL 33067

Estimate

Date	Estimate #
5/17/2011	1101

Name / Address
Village of Key Biscayne 88 W. McIntyre Street Key Biscayne, FL 33149

				Project
Item	Description	Qty	Cost	Total
Crown Red...	Crown Reduction, pruning and elevation of canopy trees. Canopy trees on all streets, Mahogany, Live Oak and any other species of hardwoods that require pruning as directed by Armando Nunez. Streets shall be determined by the Village of Key Biscayne. \$75.00 per tree		0.00	0.00
Arboricultur...	All Florida Tree & Landscape, Inc. adheres to the standards of practice for tree care according to the American National Standards Institute. All work is performed in accordance with their rules and regulations as set forth in ANSI A300 and ANSI Z133.1.		0.00	0.00
Total				\$0.00

Phone #	Fax #	E-mail
954-753-6292	954-509-9049	wolfsonma@bellsouth.net

Frank's Lawn Service, Inc.
COMPLETE LAWN AND TREE SERVICE
13150 SW 124TH AVENUE
MIAMI, FLORIDA 33186-6255
(305) 233-9369 DADE (305) 378-6908 FAX
(561) 683-1633 PALM BEACH
flsincusa@aol.com

PROPOSAL

PAGE NO. 1 OF 1

DATE: JUNE 30, 2011

TO: VILLAGE OF KEY BISCAYNE
ARMANDO NUNEZ- DIRECTOR
88 WEST McINTYRE STREET #230
KEY BISCAYNE, FL 33149

JOB NAME: LOCATIONS PER DIRECTIVE
KEY BISCAYNE
(305) 365-7757 FAX
(305) 365-8945 OFFICE
ANUNEZ@KEYBISCAYNE.FL.GOV

MEMBER OF INTERNATIONAL SOCIETY OF ARBORICULTURE AND TREE CARE INDUSTRY ASSOCIATION

WE HEREBY SUBMIT SPECIFICATIONS AND ESTIMATES FOR: TREE WORK

THINNING OUT AND RAISING THE CROWNS OF:
OAKS AND MAHOGANYS

QUANTITIES TO BE DETERMINED

\$75.00 / PER TREE

REMOVING CUTTINGS GENERATED BY THE ABOVE WORK

WE PROPOSE HEREBY TO FURNISH MATERIAL AND LABOR – COMPLETE IN ACCORDANCE WITH THESE SPECIFICATIONS, FOR THE SUM OF: **SEE ABOVE**

PAYABLE AS FOLLOWS: **UPON COMPLETION**

ALL MATERIAL IS GUARANTEED TO BE AS SPECIFIED. ALL WORK TO BE COMPLETED IN A PROFESSIONAL MANNER ACCORDING TO STANDARD PRACTICES. ANY ALTERATIONS OR DEVIATION FROM ABOVE SPECIFICATIONS INVOLVING EXTRA COST WILL BE EXECUTED ONLY UPON WRITTEN ORDERS AND WILL BECOME AN EXTRA CHARGE OVER AND ABOVE THE ESTIMATE. ALL AGREEMENTS CONTINGENT UPON STRIKES, ACCIDENTS OR DELAYS BEYOND OUR CONTROL. WE ARE LICENSED AND INSURED AND OUR WORKERS ARE FULLY COVERED BY WORKER'S COMPENSATION INSURANCE. **WE WILL NOT BE RESPONSIBLE FOR ANY UNDERGROUND UTILITIES INCLUDING IRRIGATION SYSTEMS.**

FRANK'S LAWN SERVICE AUTHORIZED SIGNATURE
NOTE: THIS PROPOSAL MAY BE WITHDRAWN
IF NOT ACCEPTED WITHIN 30 DAYS.

ACCEPTANCE OF PROPOSAL – THE PRICES, SPECIFICATIONS AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. YOU ARE AUTHORIZED TO DO THE WORK AS SPECIFIED. PAYMENT WILL BE MADE AS OUTLINED ABOVE. ANY BALANCE PAST 30 DAYS WILL BE SUBJECT TO 1 ½% PER MONTH (18% PER ANNUM) FINANCE CHARGE. SHOULD ANY BALANCE BE PRESENTED FOR COLLECTION, CUSTOMER SHALL PAY ALL ATTORNEY'S FEES AND COSTS INCURRED. THERE WILL A \$20.00 FEE FOR ANY CHECKS RETURNED.

AUTHORIZED SIGNATURE

DATE

7-5-11